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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,853	01/25/2002	James Grey	5150-62300	3735

			EXAMINER
35690	7590	11/19/2004	ROMANO, JOHN J

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ART UNIT	PAPER NUMBER
2122	

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/056,853	GREY ET AL.
	Examiner	**Art Unit**	
	John J Romano	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 January 2002*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 January 2002* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claims **1-19** are pending in this action.

Drawings

1.   The drawings are objected to because Figures 7B, 7C, 7D, 7F, 7G and 7H

contain legends that are not legible because of a dark background. Corrected drawing

sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to

avoid abandonment of the application. Correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims **1- 19** are rejected under 35 U.S.C. 102(e) as being clearly anticipated by

Hartmann et al., US 6,505,342 (hereinafter **Hartmann**).

4.   In regard to claims **1** and **13**, **Hartmann** discloses:

- "...*executing the test executive sequence...*", (E.g., see Figure 9A, 9B

    & Column 15, lines 4 - 12), wherein the test execution sequence is

    shown in the diagrams.

- "... *generating XML test results for the test executive sequence; and*

   transforming the XML test results using an XSL stylesheet.", (E.g., see

   Column 30, lines 45 - 53), wherein the test cases comprise the test

   executive sequence.

5.   In regard to claims **2** and **14**, the rejections of base claims **1** and **13** are

incorporated, as described above. Furthermore, **Hartmann** discloses:

- "... *wherein the test executive sequence comprises a plurality of test*

   executive steps; wherein said executing the test executive sequence

   comprises executing the plurality of test executive steps.", (E.g., see

   Figure 9A, 9B & Column 15, lines 4 - 12), wherein the figures show a

   plurality of steps for the execution of the test case.

6.   In regard to claims **3** and **15**, the rejections of base claims **2** and **14** are

incorporated, as described above. Furthermore, **Hartmann** discloses:

- "... *comprises generating XML test results for the test executive steps.*",

   (E.g., see Column 30, lines 45 - 53), wherein the information generated

   from the test execution is written into a tracefile of XML format.

7.   In regard to claim **4**, the rejection of base claim **1** is incorporated, as described

above. Furthermore, **Hartmann** discloses:

- "... *comprises interacting with one or more hardware devices to test a*

   unit under test (UUT).", (E.g., see Figure 1 & Column 14, line 55 –

   Column 15, line 3), wherein the unit being tested or the UUT may

   comprise hardware, (E.g., see Figure 1 & Column 4, lines 30 – 35).

8.   In regard to claims **5** and **16**, the rejections of base claims **1** and **13** are

incorporated, as described above. Furthermore, **Hartmann** discloses:

- "...*comprises a first test executive step operable to generate a Boolean*

  pass/fail result.", (E.g., see Column 25, lines 10 - 40), wherein an

  example test case teaches a first test executive step operable to

  generate a Boolean pass/fail result and while true continuing the test

  case TC1.

- "...*generating XML code specifying the Boolean pass/fail result*

  generated by the first test executive step.", (E.g., see Column 30, lines

  45 - 53), wherein the pass/fail result or information generated would be

  included in the XML code.

9.   In regard to claim **9** and **18**, the rejections of base claims **1** and **13** are

incorporated, as described above. Furthermore, **Hartmann** discloses:

- "...*comprises generating one or more XML files specifying test*

  results...", (E.g., see Column 30, lines 45 - 53), wherein the information

  generated from the test execution is written into a tracefile of XML

  format.

10.   In regard to claim **10** and **19**, the rejections of base claims **1** and **13** are

incorporated, as described above. Furthermore, **Hartmann** discloses:

- "...*creating the test executive sequence prior to said executing.*", (E.g.,

  see Figure 1 & Column 14, lines 55 -59), wherein the global behavioral

  models are created prior to executing.

11.   In regard to claim **12**, the rejection of base claim **1** is incorporated, as described

above. Furthermore, **Hartmann** discloses:

-   "...*viewing the results of said transforming the XML test results using*

    the XSL stylesheet.", (E.g., see Column 30, lines 45 - 54).

12.   Claims **6-8, 11** and **17** are rejected under 35 U.S.C. 102(e) as anticipated by or,

in the alternative, under 35 U.S.C. 103(a) as obvious over **Hartmann**.

13.   In regard to claims **6** and **17**, the rejections of base claims **1** and **13** are

incorporated, as described above. Furthermore, **Hartmann** discloses:

-   "...*a numeric limit value...*", (E.g., see Column 5, lines 27 - 31), wherein

    with a timer there is inherently a numeric limit. A first test executive

    step operable to generate a numeric limit

-   "...*generating XML code specifying the numeric limit value...*", (E.g.,

    see Column 30, lines 45 - 53), wherein the numeric limit of the timer

    would be included as information generated in the XML code.

But **Hartmann** does not expressly disclose "...*a first test executive step operable*

to generate ...". However, **Hartmann** teaches customizing timers with user

specifications (E.g., see Column 18, lines 34 – 45). Thus, it would have been obvious

to someone skilled in the art to determine a time limit by having a simple program

statement process component attributes, such as type, use or time-limitations. If such a

method was employed it would also have been obvious to determine the limit as a first

step, before using the limit in a test.

14.   In regard to claim **7,** the rejections of base claim **6** are incorporated, as described above. But **Hartmann** does not expressly disclose "...*performing a test of a unit under test to determine the numeric limit value.*" However, **Hartmann** teaches customizing timers with user specifications (E.g., see Column 18, lines 34 – 45). Thus, it would have been obvious to someone skilled in the art to determine a time limit by having a simple program statement process component attributes, such as type, use or time-limitations of the unit under test. **Hartmann** further teaches a unit under test via a timer (E.g., see Column 18, lines 65 – 67).

15.   In regard to claim **8**, the rejection of base claim **1** is incorporated, as described above. Furthermore, **Hartmann** discloses:

-   "...*results for the test executive sequence; wherein said generating XML test results for the test executive sequence comprises generating XML test results...*", (E.g., see Column 30, lines 45 - 53).

But **Hartmann** does not expressly disclose "...*result collection for only a portion of the test results ...*". However, **Hartmann** teaches, wherein, the information generated from the test execution is user-customizable via the test control center (Column 30, lines 49 - 53). Thus, it would have been obvious to a person of ordinary skill in the art to customize the results by configuring only the results required for a portion of the results.

16.   In regard to claim **11**, the rejections of base claims **1** and **12** are incorporated, as described above. But, **Hartmann** does not expressly disclose "...*prior to said transforming.*" However, this step is deemed to be obvious as Hartmann teaches the

Test Control Center provides a user with means of running test cases interactively

through a graphical user interface (Column 30, lines 45 – 47). Through this interface

the user could request results to be outputted via an existing XSL stylesheet.

Conclusion

17.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Mason US-2003/0093717 A1 and Roberts et al., US-6,560,633.

18.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to John J Romano whose telephone number is (571) 272-

3872. The examiner can normally be reached on 8-5:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tuan Q Dam can be reached on (571) 272-3695. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

TUAN DAM
SUPERVISORY PATENT EXAMINER

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